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Question of the Falkland Islands (Malvinas)

Letter dated 11 February 2015 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General

In my capacity as President Pro Tempore of the Southern Common Market (MERCOSUR) and associated States, I have the honour to inform you that the forty-seventh Ordinary Meeting of the Council of the Common Market and Summit of Presidents of MERCOSUR was held in Paraná, Argentine Republic, on 17 December 2014.

On that occasion, the Presidents of the MERCOSUR States parties and associated States agreed on a special communiqué and a paragraph of their joint communiqué that relate to the question of the Malvinas Islands. In paragraph 30 of the joint communiqué adopted by the MERCOSUR States parties and associated States, the Presidents:

> "Reaffirmed the terms of the Declaration of the Presidents of the States parties of MERCOSUR, the Republic of Bolivia and the Republic of Chile, signed on 25 June 1996 in Potrero de los Funes, Argentina, known as the Malvinas Declaration, and reiterated their support for the legitimate rights of the Argentine Republic in the sovereignty dispute concerning the question of the Malvinas Islands;
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> Stressed that the adoption of unilateral measures is incompatible with United Nations decisions, and recalled that it is in the interests of the region for the prolonged sovereignty dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas to be resolved as soon as possible, in accordance with the relevant United Nations resolutions and the declarations of the Organization of American States, MERCOSUR, the Union of South American Nations and other regional and multilateral forums;
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> Recalled, in that context, that 16 December 2015 will mark the fiftieth anniversary of the adoption of General Assembly resolution 2065 (XX), which was the first to refer specifically to the question of the Malvinas Islands and which has been reiterated up to the present day by successive resolutions of the General Assembly and the Special Committee on decolonization, and noted

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with satisfaction the significant contribution made by the United Nations Special Committee on decolonization in its consideration of the question over the 50 years since the adoption of resolution 2065 (XX);

Expressed their serious concern over the fact that there has been no substantial progress in the negotiations in the 50 years that have passed since the adoption of resolution 2065 (XX) and agreed that the next President Pro Tempore should reiterate the request to the Secretary-General of the United Nations to renew his efforts, pursuant to the mission of good offices entrusted to him by the General Assembly through successive resolutions, to bring about the resumption of negotiations in order to find a peaceful solution to the dispute as soon as possible, and to report on the progress made in the fulfilment of that mission".

In addition, the Heads of State of the MERCOSUR States parties and associated States adopted a special communiqué entitled "Hydrocarbon exploration and fishing on the Argentine continental shelf in the vicinity of the Malvinas Islands" (see annex).

I should be grateful if you would arrange to have the present letter and its annex circulated as a document of the General Assembly under agenda item 44, concerning the question of the Malvinas Islands.

(*Signed*) Antonio **de Aguiar Patriota**
Ambassador
Permanent Representative of Brazil to the United Nations

Annex to the letter dated 11 February 2015 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General

Special communiqué

Hydrocarbon exploration and fishing on the Argentine continental shelf in the vicinity of the Malvinas Islands

The Presidents of the MERCOSUR States parties and associated States, meeting in the city of Paraná, Entre Ríos, on 17 December 2014 on the occasion of the forty-seventh Ordinary Meeting of the Council of the Common Market, reiterating their continued support for the legitimate rights of the Argentine Republic in the sovereignty dispute concerning the question of the Malvinas Islands:

Recalled the provisions of United Nations General Assembly resolution 31/49, which call upon Argentina and the United Kingdom to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended by the General Assembly;

Reiterated their rejection of unilateral British activities, including the exploration and exploitation of renewable and non-renewable natural resources, in the disputed area;

Recognized the right of the Argentine Republic to take legal action, with full respect for international law and the relevant resolutions, in response to unauthorized hydrocarbon exploration and exploitation activities on its continental shelf, and drew attention to the recent declarations of the Latin American Energy Organization, the Latin American Integration Association and the Group of 77 and China in that regard;

Reaffirmed their commitment to exchanging available information, in accordance with international law, the international agreements in force and their respective domestic law, concerning:

(a) Any vessels or marine structures travelling to the Malvinas Islands, South Georgia Islands and South Sandwich Islands with cargo to be used for illegal hydrocarbon and/or mining activities on the Argentine continental shelf;

(b) The adoption of appropriate regulatory measures to prevent the entry into their ports of vessels or marine structures flying the illegal flag of the Malvinas Islands.

The information available from the competent national bodies will be circulated by the Ministries of Foreign Affairs.